

REMARKS

Claims 1, 3-11, 14-16, 19, 21-24, 31, 32 and 34-37 are pending. The Examiner, in the Election Requirement, has required election of a single alleged distinct species from two groups. (Election Requirement, page 2). In particular, election as between (i) coils and filters; and (ii) fibrin, polyethylene glycol derivates, cytokines, extracellular matrix material, DNA/RNA, trace metals, thrombus-stabilizing molecules, thrombin-coated gelatin granules, and balloons coated with iron microspheres is required. It is noted that these claims will be restricted if generic claims 1, 11, 14-16 and 19 are not held allowable. (Election Requirement, page 2).

Applicants provisionally elect, **with traverse**,
coils (species 2a), which reads on all pending claims (*i.e.*, claims 1, 3-11, 14-16, 19, 21-24, 31, 32 and 34-37; and
thrombus stabilizing molecules (species 3g), which reads on pending claims 1, 7-11, 14-16, 19, 23 and 24.


Applicants traverse on the grounds that it would not unduly burdensome to search all allegedly distinct species together. Indeed, in view of the fact that the pending claims relate to individual members of Markush Groups set forth in previously searched claims, **a search for all allegedly distinct species has already been conducted**. The already-conducted search of the art for methods of devices and methods involving any of the allegedly distinct species designated species 2a-b and 3a-i would (and already did in the Office's previous searches) **necessarily** reveal art relevant to the filters and other bioactive materials of these groups.

Thus, because searching would be in **no** way burdensome and **has already been done** for **all** allegedly distinct species, Applicants submit that the election of species requirement is improper and should be withdrawn entirely.

Finally, it is to be understood that the election of species is for the purposes of preliminary search and examination only, and that upon allowance of a generic claim, Applicants will be entitled to consideration of claims to the additional species.

Respectfully submitted,

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